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11 Attorneys for Plaintiff
12 BRYAN DAVENPORT

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 BRYAN DAVENPORT, on behalf of) Case No. 2:07-CV-00001 FMC
16 himself and all others similarly situated,) (VBKx)
17 and on behalf of the General Public,)
18) <u>CLASS ACTION</u>
19 Plaintiff,) JUDGMENT ON SETTLEMENT
20 v.) OF CLASS ACTION
21)
22 UNION BANK OF CALIFORNIA,) DATE: October 20, 2008
23 N.A., UNIONBANC INVESTMENT) TIME: 10:00 a.m.
24 SERVICES LLC, a Delaware limited) COURTROOM: 750
25 liability corporation, and DOES 1 through) Hon. Florence-Marie Cooper
26 10 inclusive,)
27)
28 Defendants.)
)
)

1 PURSUANT TO THE ORDER GRANTING MOTION FOR FINAL
2 APPROVAL OF CLASS ACTION SETTLEMENT ENTERED ON OCTOBER
3 _20_, 2008, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

4 Judgment as to the Released Federal Law Claims and the Released State Law
5 Claims of the Settlement Class Members, as defined in the Stipulation and
6 Settlement Agreement (“Stipulation”), shall be entered in the above-captioned action
7 as described below. Judgment as to the Class Representative’s Released Claims, as
8 defined in the Stipulation, shall also be entered in the above-captioned action as
9 described below.

10 The Settlement Class Members include members of one Settlement Class
11 composed of all individuals whom the Defendants employed in Covered Positions
12 during the Class Period, or the estates of such individuals. The Stipulation defines
13 “Covered Positions” as those who were employed at any time during the Class
14 Period in either or both of the following positions covered by the Stipulation:
15 (a) current and former Senior Financial Advisors (“SFAs”) (formerly referred to as
16 Senior Investment Specialists) whom Union Bank has employed within the State of
17 California; and (b) current and former Financial Advisors (“FAs”) (formerly referred
18 to as Account Executives) whom Union Bank has employed within the State of
19 California. The Class Period is September 20, 2002 through July 9, 2008.

20 This Litigation is dismissed on the merits with prejudice. Plaintiff Bryan
21 Davenport’s individual claims against Defendant (Class Representative’s Released
22 Claims), as set forth in the Stipulation at pp. 6:9–7:22, are dismissed with prejudice.
23 The Settlement Class Members’ Released Federal Law Claims, as defined in the
24 Stipulation at pp. 10:22-11:4, are dismissed with prejudice. The Settlement Class
25 Members’ Released State Law Claims, as defined in the Stipulation at pp. 11:5-12:2,
26 are dismissed with prejudice. Without affecting the finality of the Settlement or the
27 Judgment to be entered hereon, this Court shall retain exclusive and continuing
28 jurisdiction over the Litigation and the Parties, including all Class Members, for

1 purposes of enforcing and interpreting the Settlement, this Order, and the claims
2 process established therein.

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4 **IT IS SO ORDERED.**

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6 Dated: October 20, 2008

A handwritten signature in cursive script, reading "Florence-Marie Cooper".

7 HONORABLE FLORENCE-MARIE COOPER
8 UNITED STATES DISTRICT JUDGE
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1 **Approved as to form:**

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3 Dated: October __, 2008

KELLER GROVER LLP

4
5 By: _____
6 ERIC A. GROVER
7 Attorneys for Plaintiff
8 BRYAN DAVENPORT and CLASS COUNSEL

9 Dated: October __, 2008

MORGAN, LEWIS & BOCKIUS LLP

10
11
12 By: _____
13 JOHN S BATTENFELD
14 Attorneys for Defendants
15 UNION BANK OF CALIFORNIA, N.A., and
16 UNIONBANC INVESTMENT SERVICES, LLC
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